

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT [SEATTLE] [TACOMA]

MARGARET MILLER-HOTCHKISS,

Plaintiff,

v.

SAFEWAY, INC. ,

Defendant.

CASE NO. 23-cv-908

ORDER SETTING
TRIAL DATE AND
RELATED DATES

SCHEDULING DEADLINES

Having reviewed the parties' Joint Status Report and Discovery Plan, the Court sets and renews the following trial and related dates:

EVENT	DATE
JURY TRIAL begins	August 4, 2025
Length of trial	4-5 days
Deadline for joining additional parties	April 22, 2024
Deadline for filing amended pleadings	July 15, 2024
Disclosure of expert testimony under Fed. R. Civ. P. 26(a)(2)	July 15, 2024

EVENT**DATE**

Disclosure of rebuttal expert testimony under Fed. R. Civ. P. 26(a)(2)	within 30 days after the other party's expert disclosure
All motions related to discovery must be filed by (<i>see</i> LCR 7(d))	August 14, 2024
Discovery completed by	March 7, 2025
All dispositive motions and motions challenging expert witness testimony (i.e., <i>Daubert</i> motions) must be filed by (<i>see</i> LCR 7(d))	April 7, 2025
Settlement conference under LCR 39.1(c)(2) must be held no later than	June 5, 2025
All motions in limine must be filed by (<i>see</i> LCR 7(d))	June 25, 2025
Deposition Designations must be submitted to the Court by (<i>see</i> LCR 32(e))	July 14, 2025
Agreed pretrial order due	July 14, 2025
Trial briefs, proposed voir dire questions, and proposed jury instructions must be filed by	July 21, 2025
Pretrial conference	July 28, 2025

The Local Civil Rules set all other deadlines. Except as provided for in Judge Whitehead's Chambers Procedures, the dates listed in this order and set by the Local Civil Rules are firm and cannot be changed by agreement between the parties. The Court may alter the dispositive motions deadline and the dates that follow, but only if good cause is shown. Failure to complete discovery within the time allowed does not establish good cause. If any of the dates identified in this

1 Order or the Local Civil Rules fall on a weekend or federal holiday, the act or event
2 must be performed on the next business day.

3 If the scheduled trial date creates an irreconcilable conflict, counsel must
4 email Grant Cogswell, Courtroom Deputy, at grant_cogswell@wawd.uscourts.gov
5 within 10 days of the date of this Order, explaining the exact nature of the conflict.
6 Failure to do so will be treated as a waiver. Counsel and pro se parties must be
7 prepared to begin trial on the date scheduled but should understand that trial may
8 have to await the completion of other cases (e.g., criminal cases).

9 COOPERATION

10 As required by LCR 37(a), all discovery matters should be resolved by
11 agreement if possible. Counsel are also directed to cooperate in preparing the final
12 pretrial order in the format required by LCR 16.1, except as ordered below.

13 EXHIBITS

14 The parties must deliver one copy of their respective trial exhibits to Grant Cogswell,
15 Courtroom Deputy, five (5) days before the trial date. Each exhibit must be clearly
16 marked on the face of the exhibit. Each set of exhibits must be submitted in a
17 three-ring binder with appropriately numbered tabs. The Court alters the LCR 16.1
18 procedure for numbering exhibits as follows: Plaintiff's exhibits should be numbered
19 consecutively beginning with 1; Defendant's exhibits should include the prefix "A"
20 and should be numbered consecutively beginning with A-1. Duplicate documents
21 should not be listed twice. Once a party has identified an exhibit in the pretrial order,
22 any party may use it. In addition, no later than seven (7) days before the trial date,
23 the parties should send an electronic copy of all exhibits in .PDF format with Optical

1 Character Recognition ("OCR") searchable text to Grant Cogswell, Courtroom
2 Deputy. The parties should notify the court of any physical objects or files that cannot
3 be transmitted electronically. Exhibits must be marked as described above, and the
4 following protocols also apply: (1) Electronic exhibits must be transmitted
5 individually (i.e., one exhibit per file), but exhibits may have multiple pages; (2)
6 Exhibit file names should match the descriptions listed on the joint exhibit list as
7 closely as possible except that file names should not exceed 80 characters, e.g., Ex. 1
8 – Accident Scene Photo; Ex. A-1 – Email dated 4-03-23.

9 SETTLEMENT

10 If this case settles, the parties must notify Mr. Cogswell as soon as possible at
11 grant_cogswell@wawd.uscourts.gov. An attorney who fails to give prompt notice of
12 settlement may be subject to sanctions or discipline under LCR 11(b).

13 Dated this 30th day of October, 2024.

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15 Jamal N. Whitehead
16 United States District Judge
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